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NOTIFICATION

No.H.12018/86/99-LJD/10, the 20th August, 1999. The following Act of the Mizoram Legislative Assembly, which received the assent of the Governor of Mizoram is hereby published for general information.

The Mizoram Salaries & Allowances of Minister Act, 1999.

(Act No. 7 of 1999)

(Recveied the assent of the Governor of Mizoram on the 12th August, 1999.)

AN
ACT

to provide for the Salaries and Allowances of the Chief Minister and other Ministers of Mizoram.

Be it enacted by the Legislative Assembly of Mizoram in the Fiftieth year of the Republic of India as follows :—

Short title and commencement. 1. (a) This Act may be called the Mizoram Salaries and Allowances of Minister Act, 1999.

(b) It shall be deemed to have come into force on the 1st day of August, 1999.

Definitions 2. In this Act, unless the context otherwise requires —

(a) "Assembly" means the Legislative Assembly of Mizoram;

(b) "Government" means the Government of Mizoram;

(c) "Governor" means the Governor of Mizoram;

(d) "Minister" means a Minister appointed under clause (1) of Article 164 of the Constitution of India and includes the Chief Minister and a Minister of State;

(e) "Family" in relation to a Minister means

(i) his wife or her husband, as the case may be;

(ii) the children, step-children, and widowed daughters, wholly dependent on such member and;

(iii) the parents, minor brothers, handicapped adult brothers, sisters and widowed sisters wholly dependent on such Minister.

(f) "Schedule" means the Schedule appended to this Act.

(g) "Travelling allowances" means the allowances granted to a Minister under this Act to cover the expenses which he incurs in travelling in the interest of the public service.

Salaries of Chief Minister and other Ministers

3. There shall be paid to the Chief Minister, Ministers and Ministers of State a salary of ten thousand rupees each per mensem.

Sumptuary allowances of Chief Minister and other Ministers.

4. There shall be paid to the Chief Minister a sumptuary allowance of six thousand rupees per mensem, to the Minister five thousand rupees per mensem, and to the Minister of State four thousand five hundred rupees per mensem.

Family and Entertainment allowances.

5. There shall be paid to the Chief Minister, Ministers and Ministers of State a family allowance of five thousand rupees each per mensem, and also to the Chief Minister an entertainment allowance of six thousand five hundred rupees per mensem; to the Minister five thousand five hundred rupees per mensem and to the Minister of State five thousand rupees per mensen.

Residence of Ministers.

6. Each Minister shall be entitled, without any payment, to the use and maintenance of furnished residence throughout his term of office and for a period of fifteen days immediately thereafter, and so long as such residence is not provided he shall be entitled to a residence for which rental charges shall not be more than seven thousand rupees per mensem.

EXPLANATION : For the purpose of this section

"Maintenance" in relation to a residence includes

(i) free supply of electricity and water;

(ii) free telephone calls;

(iii) A Minister who occupies his own house shall be entitled to maintenance as if he occupies government quarters;

(iv) payment of local rates and taxes.

Conveyance allowance and use of Motor Car

7. Each Minister shall be entitled to the free use of Motor Vehicle, the entire cost of maintenance and propulsion along with the services of chauffeur of which shall be borne by the Government.

Free Travelling by Train or by air with members of family

8. Notwithstanding anything contained in the Act and subject to the provisions of the Schedule, a Minister shall be entitled to free travelling by First Class Air conditioned two bedded train upto 40,000 kilometres or by air in five years term within India, upto 5 members. If the number five still left out actual children it may be increased with permission of Chief Minister in case of Ministers.

Travelling and daily allowance

9. Subject to the provisions of the Schedule, a Minister shall be entitled to :—

(a) travelling allowance for himself and members of his family and for the transport of personal effects of himself and his family in respect of journeys to Aizawl from his constituency headquarters and from Aizawl to his constituency headquarters for the purpose of assuming office and demitting office; and

(b) actual fare and daily allowance in respect of tour undertaken by him in the discharge of his official duties whether by land, sea or air.

Medical facilities

10. A Minister and the members of his family shall be entitled free of charge to accommodation in hospital maintained or recognised by the Government and also to medical treatment in accordance with the Medical Attendance Rules, as amended from time to time, applicable to First Grade Officers of the Government of Mizoram.

Minister not to draw salaries or

11. No person in receipt of a salary or allowance under this Act shall be entitled to receive any sum out of the funds

allowances as members of the Assembly

provided by the Assembly by way of salary or allowances in respect of his membership of the Assembly.

Notification respecting appointment of Minister to be conclusive evidence thereof

12. The date on which any person became, or ceased to be a Minister shall be published in the Official Gazette of Mizoram and may such notification shall be conclusive evidence of the fact that he became or ceased to be, a Minister on that date for all the purposes of this Act.

Household Staff

13. The Chief Minister shall be entitled to six number of Grade-IV staff of his choice as Household Staff throughout his term of office and four number of Grade-IV staff of his choice to Minister and Minister of State respectively throughout his term of office, the appointment of which shall be co-terminus without annual increment.

Repeal and Savings

14. (a) The Mizoram Salaries and Allowances of Minister Act, 1987 is hereby repealed.

(b) Notwithstanding such repeal, anything done or any action taken under the Act so repealed shall, in so far it is not inconsistent with the provisions of this Act be deemed to have been done or taken under this Act.

THE SCHEDULE
(See Section 9)

Travelling on duty

1. (i) When travelling on duty by railway or by road or by steamer or by air, a Minister shall be entitled to re-imburse the actual fare of the journey and daily allowance at the rate of Rs. 500/- outside Mizoram, and Rs. 400/- within Mizoram;

(ii) While in station a Minister shall be entitled to daily allowance at the rate of Rs. 350/- per day.

Travelling allowance on journeys for assuming and demitting of office.

2. In respect of the journey to headquarters from his constituency headquarters for assuming office or between headquarters and his constituency headquarters on demitting office, a Minister shall be entitled to a re-imbursement of the actual fare in any bus of the journey and if he uses own car he shall be entitled to a re-imbursement at the rate of Rs. 5/-per kilometre for the journey, subject to the modification that for the journeys by rail, a Minister and the members of his family may travel by air conditioned class of accommodation.

Travel by air

3. (i) A Minister may, in the public interest perform journeys on tour by air in public air transport services.

(ii) On the cancellation of a journey due to official reason, a Minister shall be entitled to be reimbursed by the Government any deduction made by the air transport services when refunding the fare on account of cancellation of the air passage.

(iii) A Minister who does not utilise the free transport provided by the air booking centre and the airport may also recover in respect of journey to and from the airport actual travelling expenses or mileage as journey on duty by road, whichever is less.

Travel by Railway

4. A Minister shall have the right to reserve by requisition an ordinary first class compartment when travelling by railway on duty.

EXPLANATION :- For the purpose of this section a first class compartment means a two-berthed compartment or an air-conditioned coupe, where it is available, or a four-berthed compartment if a two-berthed comparment or an air-conditioned coupe is not available in the train by which the Minister travels.

Advance

5. A Minister shall be entitled to --

(a) an advance of travelling allowance towards the cost of transporting himself and the members of his family and his family's effect;

(i) in respect of the journey to headquarters from his constituency headquarters to Aizawl for assuming office.

(ii) in respect of the journey from headquarters to his constituency headquarters outside Aizawl on relinguishing office, and

(b) an advance of travelling and daily allowance in respect of the tours undertaken by him in the discharge of his official duties whether by land, sea or air.

Sd/-
P. Chakraborty,
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